

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

STEVEN BAESA,

Petitioner,

v.

ARVIZA, Warden,

Respondent.

No. 1:22-cv-00787-ADA-SKO (HC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS
(Doc. No. 7)

ORDER DISMISSING PETITION FOR WRIT
OF HABEAS CORPUS

ORDER DIRECTING CLERK OF COURT TO
PROVIDE PETITIONER WITH BLANK
FORMS FOR FILING BIVENS ACTION

ORDER DIRECTING CLERK OF COURT TO
ENTER JUDGMENT AND CLOSE CASE

Petitioner Steven Baesa is a federal prisoner proceeding *pro se* and *in forma pauperis* with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On June 29, 2022, the assigned magistrate judge issued findings and recommendations to dismiss the petition without prejudice for failure to establish grounds for habeas corpus relief. (Doc. No. 7.) Those findings and recommendations were served upon all parties and contained notice that any objections thereto were to be filed within twenty-one (21) days after service. No objections have been filed, and the filing deadline has expired.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), the court has conducted a

1 *de novo* review of the case. Having carefully reviewed the entire file, the court concludes that the
2 magistrate judge's findings and recommendations are supported by the record and proper
3 analysis.

4 The court notes that in the event an appeal is filed, a certificate of appealability will not be
5 required. *Forde v. U.S. Parole Commission*, 114 F.3d 878 (9th Cir. 1997); *see Ojo v. INS*, 106
6 F.3d 680, 681–682 (5th Cir. 1997); *Bradshaw v. Story*, 86 F.3d 164, 166 (10th Cir. 1996).

7 Accordingly,

8 1. The findings and recommendations issued on June 29, 2022, (Doc. No. 7) are
9 adopted in full;

10 2. The petition for writ of habeas corpus is dismissed;

11 3. The clerk of court is directed to enter judgment and close the case;

12 4. The clerk of court is directed to mail petitioner blank forms for filing a *Bivens*
13 action; and

14 5. No certificate of appealability is required.

15 This order terminates the action in its entirety.

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17 IT IS SO ORDERED.

18 Dated: September 14, 2022



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20 UNITED STATES DISTRICT JUDGE

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